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of one half of their commissions. Defendants, having ascertained the arrangement which was made, refused to pay the commissions and suit was brought to recover them. The court held that they were entitled to recover, as the agreement to divide their profits was a personal sacrifice which they could make to obtain a purchaser without acting in a double capacity, and as their conduct in no way infringed the rule that the agent must so act that his own interests and the interests of his principal do not conflict.

Tax Sale—Purchase by Wife—Fraudulent Conveyance.—*Miller v. Leeper et al.*, 25 S. W. Rep. 378 (Mo.). The property of defendant's intestate, who was insolvent, was bought at a tax sale by his wife with money procured by a trust deed given by him and his wife on the property so bought. The price paid was only a little more than one tenth of the value of the property. Plaintiff brought this action to set aside the conveyance of the property on the ground that it was fraudulent and to have it sold to satisfy a judgment in his favor against the decedent. The *cestui que trust* left a legacy to the wife forgiving a part of the debt secured by the trust deed. Held, that the money obtained for the purchase being raised on the property of decedent, the conveyance was a fraud on the rights of his creditors, and the decree of the lower court setting it aside was confirmed.

Water Courses—Diversion—Prescriptive Title—Changing Use.—*Gallagher v. Montecito Valley Water Co.*, 35 Pac. Rep. 770 (Cal.). Defendant, under condemnation proceedings, acquired title to land the owners of which had for five years previous diverted the waters of the stream on which plaintiff's land bordered. Held, that a prescriptive title to the water had been acquired, and a change in the use to which it was applied furnished no ground of complaint to the plaintiff, as the quantity used was no greater.